

CODE COMPLIANCE AND ENFORCEMENT UPDATE

BACKGROUND

Code Compliance Services in Auburn is currently staffed as follows:

- 1 Supervising Code Compliance Officer
- 4 Code Enforcement Officers
- 2 part-time Hazardous Vegetation Officer
- 1 Administrative Technician
- 1 Senior Clerk

Code Compliance Services generally operates Monday through Friday between the hours of 7:00 AM and 5:00 PM.

Land Use Code Compliance and Enforcement

The enforcement of land use regulations makes up the bulk of the Code Compliance/Code Enforcement Services workload although, as previously indicated, programs have been added to the Code Compliance/Code Enforcement officers' duties. The majority of land use regulations enforced by Code Compliance/Code Enforcement Services are contained in the Placer County Zoning Ordinance (County Code Chapter 17).

Hazardous Vegetation

The Hazardous Vegetation Abatement team consists of one (1) Code Compliance Officer who splits their time between hazardous vegetation abatement issues, land use and cannabis issues, and one (1) part-time Hazardous Vegetation Officer. Hazardous Vegetation Officers make an average of 600 contacts per year and currently focus their efforts on abating hazardous vegetation in the areas of North Auburn, Ophir, and Newcastle as these areas were determined by CAL FIRE and Code Compliance/Code Enforcement staff to have the highest potential for catastrophic fires.

Cannabis

The Cannabis Regulation and Enforcement program was originally put into place when the County adopted cannabis regulations after it was legalized for recreational use by California voters. The intent of the program was to ensure that large-scale growers did not move into Placer County.

COMPLAINT TYPES

Citizen Complaint - Any person may make a written complaint to the county alleging one or more code violations. These complaints shall be provided in compliance with the written complaint form process.

Law Enforcement Department Complaint - Law Enforcement offices, such as the Placer County Sheriff, may make a complaint alleging one or more code violations. These complaints shall be provided in accordance with the internal complaint form process.

Fire Department Complaint - The Fire Department having authority may make a complaint alleging one or more code violations. These complaints shall be provided in accordance with the internal complaint form process.

Placer County Department Complaint - County Staff, with Department Head approval, may make a complaint alleging one or more code violations. These complaints shall be provided in accordance with the internal complaint form process.

Code Enforcement Complaint - Code Compliance Services staff may make a complaint alleging one or more imminent safety code violations as defined in the Code Compliance Procedural Manual. These complaints shall be provided in accordance with the internal complaint form process and approved by their immediate supervisor.

Board of Supervisor/Planning Commissioner/CEO Complaint - Placer County Board of Supervisors, Planning Commissioners, or the County Executive Officer may make a complaint alleging one or more code violations. These complaints shall be provided in accordance with the internal complaint form process.

Anonymous Complaint - Due to the potential for malicious or unfounded complaints that may unnecessarily burden the code enforcement process, anonymous complaints are not accepted.

PRIORITIES

Priority 1: Imminent health and safety concerns involving hazardous conditions, matters of urgent public safety and other complaints requiring immediate response due to potential life-safety impacts. Examples of priority 1 cases would be surfacing sewage, swimming pools without proper barriers, contaminated wells, substandard or uninhabitable structures used as living units, or fire hazards, chemical storage, fences or signs which significantly obstruct vision or clearances.

Priority 2: Recurring verified violations, work without property permits, work beyond scope of approval, grading, living in recreational/illegal units, and any work in or around protected waterways/areas and other complaints requiring response as soon as reasonably possible.

Priority 3: This level is for most complaints/violations. Complaints may include setbacks, number of animals, accessory structures, parking, accessory storage (debris, commercial vehicles, trailer storage, etc.), noise, use permit, business licenses, and home-based businesses and other complaints requiring response as time permits.

Priority 4: Abandoned/inoperable vehicles on private property, signs not creating a vision hazard, garage sale signs and other complaints requiring response as soon as time permits.

Priority 5: Other non-flagrant items may be pursued as time permits.

REMEDIES

- **Initiation and Enforcement Action – Notices of Violation** (Section 17.62.120): Informs an individual that they are in violation of the County's Ordinances and what they need to do to come into compliance.
- **Judicial and Administrative Citations** (Sections 17.62.130 and 17.62.180): Authorizes issuance of citations to violators thus encouraging them to come into compliance with the County's Ordinances. A Notice of Violation must be issued prior to citation.
- **Nuisance Abatement** (Section 17.62.160): Allows the County to enter properties and abate nuisances such as abandoned vehicles.
- **Permit Revocation** (Section 17.62.170): Allows for revocation of a land use entitlement when it is shown that a conditional land use is operating outside of its entitlement's conditions.
- **Injunction** (Section 17.62.150): Code Compliance Services working in conjunction with County Counsel to obtain a court order to stop an illegal land use that results in irreparable injury, such as if there is a life safety hazard.

THREE PART APPROACH

The Code Compliance/Code Enforcement process improvements is three-pronged:

1. Updated Procedures: Comprehensively update procedures towards enforcement such as using shorter timeframes, using Hearing Officers to streamline the process instead of bringing the matters before the Planning Commission, and using fines and penalties as a more proactive and stronger tool and approach towards compelling compliance.
2. Added Staff Resources: Add staffing in both administrative and code enforcement roles to be able to complete the increasing workload.
3. Technology Improvements: Incorporate technological changes to the Code Compliance/Code Enforcement module of the Agency's Accela program to more efficiently track compliance and make the program more mobile. This will also mean the Code Compliance/Code Enforcement Officer's vehicles will need to be enhanced with mobile communications capabilities.

REDUCED TIME FRAMES

- Fire, life safety and health initial inspection immediately when possible
- Officer case assignment within 5 days from receipt of complaint
- On-site inspection within 10 days
- Code violations confirmed; 10-day Notice of Violation issued
- Follow up inspections at the discretion of the assigned officer, specific to the verified violation. Typical follow up timeframes are between 5–30 days.

FINES

Revised fine schedule from the current first violation of \$100, second violation \$500, third violation \$1,000 to first violation \$500, second violation \$750, third violation \$1,000.

SEPARATE DIVISION STATUS

It is anticipated that as Code Compliance/Code Enforcement services grow and continue to branch into new areas of enforcement responsibility such as cannabis enforcement, hazardous vegetation abatement and homelessness regulation enforcement that it may need to become a separate division under CDRA.

	PLACER COUNTY (WEST SIDE)	SACRAMENTO COUNTY	CITY OF ROSEVILLE	CITY OF ROCKLIN	NEVADA COUNTY
ASSOCIATED DEPARTMENT	Community Development	Community Development	Development Services	Community Development	Community Development
DIVISION	Planning Services	Code Enforcement	Code Enforcement	Code Enforcement	Code Compliance
TOTAL NUMBER OF EMPLOYEES	8 (not including Planning Manager)	57	6 (5 full time)	3	5
NUMBER OF CODE OFFICERS	4	29	5	2	4
CASES PER YEAR	459	120 case expectation per officer	1,831	2,500	230-263
PRO-ACTIVE OR COMPLAINT DRIVEN	Written Complaint	Pro-active	Both	Both	Written Complaint
WORK SCHEDULE	M-F, 8am-5pm	M-F, 8am-5pm	M-F, 6am-3:30pm	M-F, 7am-3:30pm	M-F, 8-5 or 4 10's
SYSTEMS USED	Accela GIS HDL Megabyte	Accela GIS Clear	Accela	Comcate TRAKit HDL	Accela GIS OnXHunt
PROGRAMS ADMINISTERED	Zoning Building Grading Hazardous Vegetation Cannabis Vehicle Abatement	Zoning Vehicle Abatement Housing Program Hazardous Vegetation Cannabis Illegal Dumping	Zoning Substandard Housing Signs Abandoned Vehicles Short Term Rentals Transient Camps Graffiti Encroachments Public Nuisance	Zoning Nuisance Abatement Short Term Rental Homeless Outreach Dangerous Building/Substandard Housing	Zoning Building Housing Property Maintenance Cannabis
FEE SCALE	\$100/\$500/\$1,000	\$475 Initial Inspection \$335 additional inspections Administrative Penalties: up to \$1,000 per violation, per day Other billable fees	\$100/\$200/\$500	\$100/\$250/\$500	\$130/\$700/\$1,300

CULTURAL SHIFT

Shorter time frames and the more frequent use of fines and penalties is a shift by Code Enforcement to better meet the needs of the County as population increases and becomes more urban.

NEXT STEPS AND DIRECTION

Staff, upon Board direction, will begin the process to amend Article 17.62 and any other Article of the Placer County Code to effectuate the new processes, fine scales, and procedures that have been discussed in this report.

